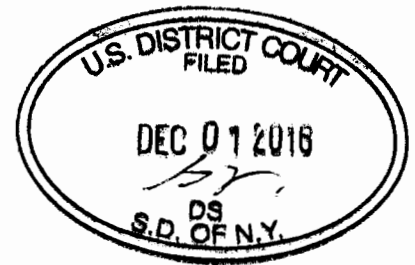


ORIGINAL



Approved: Sheb Swett  
SHEB SWETT  
Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT  
United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA

:  
: SEALED COMPLAINT  
:

- v. -

: Violations of 18 U.S.C.  
: §§ 1542 and 1028A  
:

FNU LNU

a/k/a "Luis Vazquez,"

a/k/a "Luis Manuel

Vazquez-Matos,"

: COUNTY OF OFFENSE:  
: NEW YORK  
:

Defendant.

16 MAG 7695

- - - - -  
SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIEL ERICKSON, being duly sworn, deposes and says that he is a Special Agent with the Diplomatic Security Service ("DSS") of the United States Department of State, and charges as follows:

COUNT ONE

(False Statement in Application for Passport)

1. On or about January 5, 2007, in the Southern District of New York and elsewhere, FNU LNU, a/k/a "Luis Vazquez," a/k/a "Luis Manuel Vazquez-Matos," the defendant, willfully and knowingly did make false statements in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws, to wit, the defendant submitted a United States passport application containing false information about his identity, including a false name, date of birth, social security number, and New York State learner's permit.

(Title 18, United States Code, Section 1542.)

COUNT TWO

(Aggravated Identity Theft)

2. On or about January 5, 2007, in the Southern District of New York and elsewhere, FNU LNU, a/k/a "Luis Vazquez," a/k/a "Luis Manuel Vazquez-Matos," the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, the defendant possessed, used, and transferred the name, social security number, and date of birth of another person in connection with his fraudulent passport application, as charged in Count One of this Complaint.

(Title 18, United States Code, Section 1028A.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Special Agent with the DSS. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Through my training and experience as a DSS agent, I have learned the following about the passport application process:

a. To obtain a United States passport, an individual must submit a passport application with information such as the applicant's name, date of birth, social security number, and address. A photograph of the applicant must be affixed to the application.

b. The applicant must appear in person before a passport acceptance agent. Before approving any application for a passport, the passport acceptance agent will require the

applicant to provide photo identification and proof of citizenship, such as a driver's license and birth certificate, and will verify that the applicant appears to be the same person as the person in the photo identification as well as the same person in the photograph affixed to the passport application. The applicant must then sign the application, thereby certifying that the information on the application is true and correct.

c. If the application is approved, the applicant will be issued a United States passport.

5. Based on my conversations with other law enforcement officers and my review of records maintained by law enforcement, I have learned the following:

a. On or about January 5, 2007, an application ("Application-1") for a United States passport was made at the James A. Farley Post Office, 421 Eighth Avenue, New York, NY. Application-1 was made in the name of "Luis Vazquez." Application-1 listed a particular date in 1974 ("Birthdate-1") as the applicant's date of birth and a particular social security number ("Social Security Number-1") as the applicant's social security number. Application-1 also included a particular photograph ("Photograph-1") as a photograph of the applicant. In addition, Application-1 listed the name of an emergency contact ("Emergency Contact-1"). The applicant submitted with Application-1 a New York State learner's permit issued on July 28, 2006 in the name of "Luis M. Vazquez."

b. After receiving the materials associated with Application-1, the State Department suspended Application-1 due to inconsistencies in the application materials. The State Department requested additional information from the applicant, but the applicant did not respond. The State Department then stopped processing Application-1.

c. On or about August 24, 2015, an individual named Luis Manuel Vazquez Matos ("Victim-1") submitted an application for a United States passport at the Puerto Rico Department of State acceptance facility at Plaza Las Americas in San Juan, Puerto Rico. In his application, Victim-1 listed his birthdate as Birthdate-1 and his social security number as Social Security Number-1. Victim-1 also submitted a number of documents with his application, including a Puerto Rico learner's permit, a Puerto Rico voter identification card, a GED certificate, and a pay stub. Because the application contained

the same information as Application-1, the State Department placed a hold on the application.

d. On or about October 1, 2015, Victim-1 was voluntarily interviewed by a member of the Fraud Prevention Unit Staff at the San Juan Passport Agency in connection with his passport application. Victim-1 stated that he had previously been the victim of identity theft fifteen years earlier. He also stated that he had never resided outside of Puerto Rico. Victim-1 also agreed to provide additional identification documents.

e. On or about October 2, 2015, Victim-1 returned to the Puerto Rico Department of State acceptance facility with additional documents in support of his passport application. Victim-1 also participated in a follow-up interview. Based on the interviews and the documents provided by Victim-1, the Department of State concluded that Victim-1 had proven his identity and issued Victim-1 a passport on October 5, 2015.

f. On or about October 19, 2016, special agents with the DSS (the "DSS Agents") visited the residence of Emergency Contact-1 to try and locate the whereabouts of the individual associated with Application-1. Emergency Contact-1 answered the door and informed the DSS Agents that the individual lived with her and was in the vicinity. Fifteen minutes later, FNU LNU, a/k/a "Luis Vazquez," a/k/a "Luis Manuel Vazquez-Matos," the defendant, arrived at the apartment and identified himself as the individual associated with Application-1. The DSS Agents told the defendant that they were conducting an administrative audit of Application-1. The defendant provided the DSS Agents with a current Massachusetts driver's license with the name "Luis Manuel Vazquez-Matos" and a Puerto Rico birth certificate. The defendant also stated that he was still interested in acquiring a U.S. passport.

g. The DSS Agents subsequently obtained information relating to the defendant's Massachusetts driver's license, including the photograph on the defendant's driver's license. Based on my review of Photograph-1 and the photograph associated with the defendant's Massachusetts driver's license, I believe that the individual depicted in Photograph-1 is FNU LNU, a/k/a "Luis Vazquez," a/k/a "Luis Manuel Vazquez-Matos," the defendant. Furthermore, based on my review of photographs of Victim-1, I believe that Victim-1 is not the individual depicted in Photograph-1 or on the defendant's Massachusetts driver's

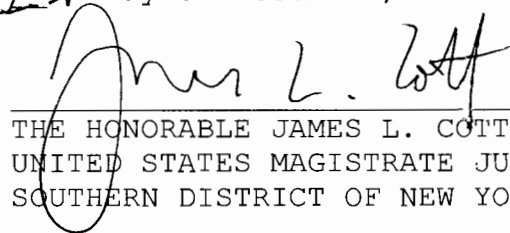
license. In other words, it appears that LNU is using Victim-1's stolen identity. I have personally spoken with the DSS Agents and reviewed reports the reports they produced in connection with this investigation.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of FNU LNU, a/k/a "Luis Vazquez," a/k/a "Luis Manuel Vazquez-Matos," the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



DANIEL ERICKSON  
Special Agent  
Diplomatic Security Service  
United States Department of State

Sworn to before me this  
2<sup>nd</sup> day of December, 2016



THE HONORABLE JAMES L. COTT  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK